

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

SKYWORKS, LTD., CEDARWOOD
VILLAGE APARTMENTS I & II OWNER
B, LLC; MONARCH INVESTMENT AND
MANAGEMENT GROUP, LLC; TOLEDO
PROPERTIES OWNER B, LLC; and
NATIONAL ASSOCIATION OF HOME
BUILDERS,

Plaintiffs,

v.

CENTERS FOR DISEASE CONTROL
AND PREVENTION; ROCHELLE P.
WALENSKY, in her official capacity as
Director, Centers for Disease Control and
Prevention; SHERRI A. BERGER, in her
official capacity as Acting Chief of Staff,
Centers for Disease Control and Prevention;
DEPARTMENT OF HEALTH AND
HUMAN SERVICES; NORRIS COCHRAN,
in his official capacity as acting Secretary of
Health and Human Services; MONTY
WILKINSON, in his official capacity as
Acting Attorney General of the United
States,¹

Defendants.

Case No. 5:20-cv-02407-JPC

JOINT STATUS REPORT

Pursuant to the Court's Order of December 23, 2020, the parties file the following joint
status report:

¹ Pursuant to Federal Rule of Civil Procedure 25(d), automatic substitutions are made for the following defendants sued in their official capacities: Rochelle P. Walensky, Director, Centers for Disease Control and Prevention, for Robert R. Redfield; Sherri A. Berger, Acting Chief of Staff for Centers for Disease Control and Prevention, for Nina B. Witkovsky; Norris Cochran, Acting Secretary of Health and Human Services, for Alex Azar; and Monty Wilkinson, Acting United States Attorney General, for William P. Barr.

Congress's extension of the Centers for Disease Control and Prevention (CDC) Order at issue here, *see* Temporary Halt in Residential Evictions To Prevent the Further Spread of COVID-19, 85 Fed. Reg. 55292 (Sept. 4, 2020), which became law on December 27, 2020, is set to expire on January 31, 2021. *See* Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, div. N, tit. V, § 502, 134 Stat. 1182, 2079 (2020). On January 20, 2021, CDC Director Dr. Rochelle Walensky, issued the following media statement: "As a protective public health measure, I will extend the current order temporarily halting residential evictions until at least March 31, 2021." Media Statement, Centers for Disease Control and Prevention, Media Statement from CDC Director Rochelle P. Walensky, MD, MPH, on Extending the Eviction Moratorium (Jan. 20, 2021), <https://www.cdc.gov/media/releases/2021/s0121-eviction-moratorium.html>. An extension has not yet issued.

Accordingly, the parties propose that they submit another joint status report on Tuesday, February 2, 2021. This will give the parties an opportunity to review any extension that issues and to discuss whether and to what extent further briefing on Plaintiffs' motion for preliminary injunction, or some other course of action in this case, may be necessary or advisable.

DATED: January 27, 2021.

Respectfully submitted:

/s/ Steven M. Simpson

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